REMARKS

Claims 1-43, 46, 47, 50-54, 56-63 and 65-80 are pending in the application. Claims 3-5, 22-29, 40, 51-54, 56-73 and 75, 76 and 78-80 are withdrawn from consideration. Claims 44, 45, 48, 49, 55 and 77 are canceled. In view of the above amendments and the following remarks, it is respectfully submitted that claims 1-80 are allowable.

Restriction

With the above amendments, the application now includes two independent claims: claim 1 and claim 56. Claim 56 is commensurate in scope with claim 1, but is rather drafted in means plus function language, and therefore claims 1 and 56 should not be subject to restriction under 35 U.S.C. 121. Furthermore, Applicant respectfully submits that claims 1 and 56 are generic to both Species A and Species B. Dependent claims 7, 8, 22, 23, 24-29, 40 and 51-54 are amended to require all of the limitations of independent claim 1, and therefore all of the dependent claims are subject to rejoinder upon allowance of independent claims 1 and 56.

Specification

The specification is amended to correct errors and clarify language. Both marked and clean versions of a substitute specification are enclosed. No new matter has been introduced as a result of this amendment.

Claim Rejections – 35 U.S.C. § 102

Claims 1, 2, 9-21, 33, 36-39 and 74 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,556,858 to Zeman, hereinafter "Zeman". Claim 1 is independent. Applicant respectfully traverses this rejection.

Zeman describes an imaging system 2 for illuminating an object 32, such as body tissue, with highly diffuse infrared light, and for producing a video image of the object 32 based upon infrared light reflected from the object 32 (col. 3, lines 32-35). The imaging system 2 includes

an illumination system 10 that includes multiple infrared light providers 10a-10f, each providing infrared light to the object 32 from a different illumination direction (col. 3, lines 40-42). The imaging system 2 also includes an imaging device 38, such as a video camera, for viewing the object 32 (col. 3, lines 60-61).

Zeman thus describes an imaging system for imaging a single plane, that utilizes a single imaging device, i.e., a video camera. However, Zeman does not describe an imaging device that utilizes multiple imaging devices to capture multiple images of a target person located at specific positions. Thus, Zeman does not teach or suggest "a plurality of imaging devices, wherein a plurality of the imaging devices are vertically spaced relative to each other, a plurality of the imaging devices are laterally spaced relative to each other, a plurality of the imaging devices are located on opposite sides of the centerline of the specified imaging position relative to each other, and each imaging device is located a predetermined distance relative to the specified imaging position . . . wherein each of said imaging devices generates an image of the illuminated person or portion thereof located at the specified imaging position, and defines respective coordinates and said respective predetermined distance relative to the specified imaging position, and defines a respective focal length and resolution information, allowing precise measurement of imaged features of the person or portion thereof located at the specified imaging position," as recited in amended independent claim 1. Therefore, claim 1 is patentable over Zeman.

Claims 2, 9-21, 33, 36-39, 43 and 74 depend from claim 1. For at least reasoning similar to that provided in support of the patentability of claim 1, claims 2, 9-21, 33, 36-39, 43 and 74 are patentable over Zeman.

For the above reasons, the rejection of claims 1, 2, 9-21, 33, 36-39 and 74 under 35 U.S.C. 102(e) as being anticipated by Zeman is overcome. Accordingly, reconsideration and withdrawal of the rejection of claims 1, 2, 9-21, 33, 36-39 and 74 is respectfully requested.

Claim Rejections – 35 U.S.C. §103

Claims 30-32, 34, 35, 41, 42 and 50 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Zeman in view of U.S. Patent No. 7,092,014 to Li et al., hereinafter "Li". Applicant respectfully traverses this rejection.

As discussed above, Zeman does not teach or suggest a plurality of imaging devices as recited in amended independent claim 1. Applicant submits that Li does not make up for the deficiencies of Zeman, as they apply to claim 1.

Li describes a system for capturing scenes based on a longitudinally aligned camera array (col. 2, lines 38-40). A longitudinal camera array is rotated through a capture cylinder, with each camera in the array capturing multiple images as the array rotates (col. 2, lines 41-43). One or more of multiple images are selected for a particular viewing position based on a display value for each pixel in the array (col. 2, line 50 – col. 3, line 5). The user may move around within the 3D scene by inputting appropriate commands to the system that translate to a location within the 3D scene and a direction of view of the observer that is presented for viewing by a display output component (col. 5, lines 38-47). The display of the output component will change as if the user moved within the 3D scene (col. 5, lines 47-48).

Li thus describes a system for providing multiple images of a scene taken by a camera array that is moved through the scene, and provides different images to a user based upon the user's desired angular position relative to the scene. However, Li does not describe a plurality of imaging devices located at a predetermined distance relative to a specific imaging position, or located on opposite sides of a centerline of the imaging position relative to one another, and further does not describe a system that allows precise measurement of imaged features based on the coordinates and distance of each imaging device relative to the imaging position.

Therefore, Zeman and Li, whether considered alone or in combination, do not teach or suggest "a plurality of imaging devices, wherein a plurality of the imaging devices are vertically spaced relative to each other, a plurality of the imaging devices are laterally spaced relative to each other, a plurality of the imaging devices are located on opposite sides of the centerline of the specified imaging position relative to each other, and each imaging device is located a predetermined distance relative to the specified imaging position . . . wherein each of said imaging devices generates an image of the illuminated person or portion thereof located at the specified imaging position, and defines respective coordinates and said respective predetermined distance relative to the specified imaging position, and defines a respective focal length and resolution information, allowing precise measurement of imaged features of the person or portion thereof located at the specified imaging position," as recited in amended independent claim 1. Thus, claim 1 is patentable over the cited combination of Zeman and Li for at least

these reasons.

Claims 30-32, 34, 35, 41, 42 and 50 depend from claim 1. For reasoning that is the same as or similar to that provided in support of the patentability of claims 1, claims 30-32, 34, 35, 41, 42 and 50 are patentable over the cited combination of Zeman and Li. Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 30-32, 34, 35, 41, 42 and 50.

Claim 51 is rejected under 35 U.S.C. § 103(a) as being unpatentable over Zeman in view of Li, and further in view of U.S. Patent No. 5,261,404 to Mick et al., hereinafter "Mick". Claim 51 as amended depends from amended independent claim 1. Applicant respectfully traverses this rejection.

As discussed above, Zeman and Li, whether considered alone or in combination, do not teach or suggest a plurality of imaging devices as recited in amended independent claim 1. Applicant submits that Mick does not make up for the deficiencies of Zeman and Li, as they apply to claim 1.

Mick describes a system for 3D imaging of the internal anatomy of a mammal using tomographic slice data and images produced within the body cavity of the mammal (col. 2, lines 23-33. However, Mick does not teach or suggest "a plurality of imaging devices, wherein a plurality of the imaging devices are vertically spaced relative to each other, a plurality of the imaging devices are laterally spaced relative to each other, a plurality of the imaging devices are located on opposite sides of the centerline of the specified imaging position relative to each other, and each imaging device is located a predetermined distance relative to the specified imaging position . . . wherein each of said imaging devices generates an image of the illuminated person or portion thereof located at the specified imaging position, and defines respective coordinates and said respective predetermined distance relative to the specified imaging position, and defines a respective focal length and resolution information, allowing precise measurement of imaged features of the person or portion thereof located at the specified imaging position", as recited in amended independent claim 1.

Therefore, Zeman, Li and Mick, whether considered alone or in combination, do not teach or suggest "a plurality of imaging devices, wherein a plurality of the imaging devices are vertically spaced relative to each other, a plurality of the imaging devices are laterally spaced relative to each other, a plurality of the imaging devices are located on opposite sides of the

centerline of the specified imaging position relative to each other, and each imaging device is located a predetermined distance relative to the specified imaging position . . . wherein each of said imaging devices generates an image of the illuminated person or portion thereof located at the specified imaging position, and defines respective coordinates and said respective predetermined distance relative to the specified imaging position, and defines a respective focal length and resolution information, allowing precise measurement of imaged features of the person or portion thereof located at the specified imaging position," as recited in amended independent claim 1. Thus, claim 1 is patentable over the cited combination of Zeman, Li and Mick for at least these reasons.

Claim 51 depends from claim 1. For reasoning that is the same as or similar to that provided in support of the patentability of claims 1, claim 51 is patentable over the cited combination of Zeman, Li and Mick. Applicant respectfully requests reconsideration and withdrawal of the rejection of claim 51.

Claims 44-49 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Zeman in view of U.S. Patent No. 6,339,216 to Wake, hereinafter "Wake". Claims 44, 45, 48 and 49 are canceled. Claims 46 and 47 as amended depend from amended independent claim 1. Applicants respectfully traverse this rejection.

As discussed above, Zeman does not teach or suggest a plurality of imaging devices as recited in amended independent claim 1. Applicant submits that Wake does not make up for the deficiencies of Zeman, as they apply to claim 1.

Wake describes a detector array for a laser imaging apparatus, comprising a plurality of detectors disposed in an arc around an opening in which an object to be scanned is disposed; and a multi-gain amplifier circuit connected to each detector (col. 3, lines 9-13). However, Wake does not teach or suggest "a plurality of imaging devices, wherein a plurality of the imaging devices are vertically spaced relative to each other, a plurality of the imaging devices are laterally spaced relative to each other, a plurality of the imaging devices are located on opposite sides of the centerline of the specified imaging position relative to each other, and each imaging device is located a predetermined distance relative to the specified imaging position . . . wherein each of said imaging devices generates an image of the illuminated person or portion thereof located at the specified imaging position, and defines respective coordinates and said respective

predetermined distance relative to the specified imaging position, and defines a respective focal length and resolution information, allowing precise measurement of imaged features of the person or portion thereof located at the specified imaging position," as recited in amended independent claim 1.

Therefore, Zeman and Wake, whether considered alone or in combination, do not teach or suggest "a plurality of imaging devices, wherein a plurality of the imaging devices are vertically spaced relative to each other, a plurality of the imaging devices are laterally spaced relative to each other, a plurality of the imaging devices are located on opposite sides of the centerline of the specified imaging position relative to each other, and each imaging device is located a predetermined distance relative to the specified imaging position . . . wherein each of said imaging devices generates an image of the illuminated person or portion thereof located at the specified imaging position, and defines respective coordinates and said respective predetermined distance relative to the specified imaging position, and defines a respective focal length and resolution information, allowing precise measurement of imaged features of the person or portion thereof located at the specified imaging position," as recited in amended independent claim 1.

Furthermore, there is no suggestion or motivation to combine the teachings of Zeman and Wake as suggested by the Office Action. Wake describes enclosing an appendage in an imaging system and requires transillumination through the skin to achieve adequate light intensity. The imaging sensors of Wake must be applied directly to the skin to optimize its sensitivity to transilluminated photons without interference. In contrast, Zeman is concerned with remote illumination and would thus be inadequate for use with the Wake system. Therefore, one of ordinary skill in the art would not be motivated to combine the teachings of Zeman and Wake.

The cited combination of Zeman and Wake fails to teach or suggest the elements of claim 1. Furthermore, there is no suggestion or motivation to combine the teachings of Zeman and Wake. Thus, claim 1 is patentable over the cited combination of Zeman and Wake for at least these reasons.

Claims 46 and 47 depend from claim 1. For reasoning that is the same as or similar to that provided in support of the patentability of claims 1, claims 46 and 47 are patentable over the cited combination of Zeman and Wake. Applicant respectfully requests reconsideration and withdrawal of the rejection of claims 46 and 47.

Conclusion

The pending claims are believed to be allowable over the prior art of record. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicants' attorneys would be advantageous to the disposition of this case, the Examiner is cordially requested to telephone the undersigned. If the Examiner has any questions in connection with this paper, or otherwise if it would facilitate the examination of this application, please call the undersigned at the telephone number below.

In the event the Commissioner of Patents and Trademarks deems additional fees to be due in connection with this application, Applicant's attorneys hereby authorize that such fee(s) be charged to Deposit Account No. 50-3569.

Respectfully submitted,

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By: _____

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